

Appl. No. 09/635,113
Amendment and/or Response
Reply to Office action of 11 March 2004

Page 7 of 8

REMARKS / DISCUSSION OF ISSUES

Claims 1-13 are pending in the application; claims 9-13 are newly added.

The applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

The Examiner is respectfully requested to state whether the drawings are acceptable.

Claims are amended for non-statutory reasons: to correct one or more informalities, remove figure label number(s), and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in scope and no new matter is added.

The applicant thanks the Examiner for notifying the applicant that U.S. serial number 09/155,748, listed in the applicant's Information Disclosure Statement of 9 August 2000 has not been considered. The applicant notes that this application (09/155,748) corresponds to US patent 6,222,981 issued to Rijckaert, which has been cited in the Office action, and therefore no further action is necessary.

The Office action rejects claims 1-3 and 6 under 35 U.S.C. 102(e) over Rijckaert (USP 6,222,981). The applicant respectfully traverses this rejection.

Claim 1, upon which claims 2-3 depend, claims a reproduction device that includes a tester that is configured to determine whether valid first trick-play reproduction data is being reproduced at a first trick-play speed, and if not, causes the device to change to a second trick-play speed.

Claim 6 claims a method for reproducing reproduction information from a magnetic tape that includes testing whether valid first trick-play reproduction data is being reproduced at a first trick-play speed, and if not, the tape is moved at a second trick-play speed.

Rijckaert does not teach controlling the speed of a reproduction device based upon whether valid reproduction data is reproduced at a first trick-play speed. The Office action cites column 27, lines 56-67 of Rijckaert for this teaching, but the cited text is silent with regarding to controlling the speed of Rijckaert's reproduction device based upon whether valid data is being reproduced at the first trick-play speed.

O-99536 Amendment 4.311 - MAC

Atty. Docket No. O-99536

Appl. No. 09/635,113
Amendment and/or Response
Reply to Office action of 11 March 2004

Page 8 of 8

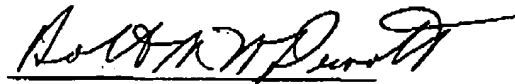
Because Rijckaert does not teach controlling the speed of a reproduction device based upon whether valid reproduction data is reproduced at a first trick-play speed, as specifically claimed in claim 1, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 1-3 and 6 under 35 U.S.C. 102(e) over Rijckaert.

The Office action rejects claim 4 under 35 U.S.C. 103(a) over Higurashi (USP 6,031,679) and Rijckaert. The applicant respectfully traverses this rejection, based on the remarks above regarding Rijckaert and claim 1, upon which claim 4 depends, and based on the following remarks.

The Office action relies upon Rijckaert for teaching the claimed reproduction device, and upon Higurashi for teaching a value for a normal tape speed. Because Rijckaert does not teach or suggest controlling the speed of a reproduction device based upon whether valid reproduction data is reproduced at a first trick-play speed, as specifically claimed in claim 1, upon which claim 4 depends, the applicant respectfully requests the Examiner's reconsideration of the rejection of claim 4 under 35 U.S.C. 103(a) over Higurashi and Rijckaert.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Robert M. McDermott
Reg. 41,508
Att'y for Applicant(s)

1824 Federal Farm Road
Montross, VA 22520
Phone: (804) 493-0707
Fax: (215) 243-7525